

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROELING ADAMS,

No. C 12-0960 WHA (PR)

Plaintiff.

ORDER OF DISMISSAL

v.

(Docket No. 3)

PELICAN BAY STATE PRISON,


Defendant.

On February 27, 2012, plaintiff, a prisoner of the State of California, filed a letter complaining of actions by prison employees. That day, the clerk notified plaintiff that he had not filed a complaint, and that he had neither paid the filing fee nor filed an application to proceed in forma pauperis (“IFP”). Along with the notices, the clerk mailed to plaintiff the court’s complaint and IFP forms, instructions for completing the forms, and a stamped return envelope. In the notices, plaintiff was informed that the case would be dismissed if he did not file a complaint, and pay the fee or file a completed IFP application, within thirty days. More than thirty days have passed and plaintiff has filed an incomplete IFP application but no complaint. As plaintiff has not filed a complaint or complied with the deficiency notice that he must file one, this case is **DISMISSED** without prejudice. *See Thomas v. Anchorage Equal*

1 *Rights Comm'n*, 220 F.3d 1134, 1138-39 (9th Cir. 2000) (en banc) (federal courts are restricted
2 by the constitution to ruling on cases or controversies). The incomplete IFP application is
3 **DENIED**. The Clerk shall enter judgment and close the file.

4 **IT IS SO ORDERED.**

5 Dated: April 20, 2012.

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7 WILLIAM ALSUP
8 UNITED STATES DISTRICT JUDGE
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